

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on July 5, 2006 at 7:02 p.m. after a 6:30 p.m. caucus session.

Mayor White presiding.

Mayor White led the Pledge of Alliance.

The following members of the Council answered roll call: YEA Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Community Development Coordinator Kyle Gill, Fire Chief Bruce Grafton, Deputy Fire Chief Andy Adair, Police Chief Larry Metzelaars, and City Clerk Susan O'Brien.

CONSENT AGENDA:

Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.

Mayor White seconded by Commissioner Cline moved to approve the consent agenda consisting of minutes of the regular meeting June 20, 2006; report of the Police Department for the month of May; and payroll and bills for the second half of June.

Bills and payroll for the second half of June, 2006

General Fund

Payroll		\$	322,129.65
Bills		\$	<u>118,409.26</u>
	Total	\$	440,538.91

Hotel Tax Fund

Payroll		\$	1,958.15
Bills		\$	<u>82.87</u>
	Total	\$	2,041.02

Festival Management Fund

Bills		\$	<u>10,645.00</u>
	Total	\$	10,645.00

Capital Project Fund

Bills		\$	<u>6,868.13</u>
	Total	\$	6,868.13

Water Fund

Payroll		\$	27,775.94
Bills		\$	<u>19,873.79</u>
	Total	\$	47,649.73

Sewer Fund

Payroll		\$	28,133.99
Bills		\$	<u>475,423.67</u>
	Total	\$	503,557.66

Cemetery Fund

Payroll		\$	6,503.02
Bills		\$	<u>164.06</u>
	Total	\$	6,667.08

Motor Fuel Tax Fund

Bills		\$	<u>72,567.62</u>
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	Total	\$ 72,567.62
<u>Revolving Loan Fund</u>		
Bills		<u>\$ 80.00</u>
	Total	\$ 80.00
<u>Health Insurance</u>		
Bills		<u>\$ 84,576.00</u>
	Total	\$ 84,576.00

Mayor White declared the motion to approve the consent agenda carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

Fire Chief Grafton updated the Council on the progress of the new Ladder 24 fire truck. Council commended the fire department committee members for their commitment in the development of this fire truck.

There was no additional public discussion.

NEW BUSINESS:

Commissioner McKenzie seconded by Commissioner Ervin moved to approve Council Decision Request 2006-625, approving the specifications and cost estimate for the Dodge Grove Cemetery and Lake Paradise oil and chip project, and authorize the Mayor to sign the documents.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Schilling moved to approve Council Decision Request 2006-626, approving the specifications and cost estimate for the Mattoon/Charleston water interconnect, and authorizing the Mayor to sign the documents.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Cline moved to approve Council Decision Request 2006-627, approving the specifications and cost estimate for the Lake Paradise Sediment Retention Basin construction, and authorizing the Mayor to sign the documents.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2006-628, approving the appointment of Monica Young to a full-time replacement Telecommunicator I position at an \$8.87 hourly wage rate effective July 17, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner

McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-629, approving the hiring Sara Brandenburg as a Finance Clerk I in the finance department at \$9.66 per hour, effective July 10, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-630, approving the job description and authorizing the advertisement for an Electrical/Code Enforcement position.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Ervin moved to adopt Special Ordinance No. 2006-1127, declaring a certain lot in Lake Paradise Subdivision is no longer necessary or required for use of the municipality and authorizing the management staff to negotiate for a contract proposal to sell this lot. *(The lot is where a non-operational pump station is located, and is adjacent to property (former Lake Superintendent's House) previously purchased by Mr. Standerfer.)*

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1127

A SPECIAL ORDINANCE DECLARING THAT A LOT IN LAKE PARADISE SUBDIVISION IS NO LONGER NECESSARY OR REQUIRED FOR USE OF THE MUNICIPALITY AND AUTHORIZING THE MANAGEMENT STAFF TO NEGOTIATE A SALE OF THE LOT

WHEREAS, in the early 1900's the City of Mattoon purchased Lake Paradise and large parcels of land surrounding it for use in its water system; and

WHEREAS, after the purchase of Lake Paradise the City of Mattoon maintained ownership over the property surrounding the lake and since that time has sold portions of that land to individuals to be used for residential purposes; and

WHEREAS, the lot described below is immediately adjacent to a property that has been sold to Bill and Virginia A. Standerfer, d/b/a Standerfer Properties,; and

WHEREAS, Bill and Virginia A. Standerfer, d/b/a Standerfer Properties, have agreed to complete in-kind services in excess of the value of the lot in exchange for the ownership of the lot; and

WHEREAS, the property has been subdivided by the City of Mattoon and the Plat has recorded with the Coles County Clerk & Recorder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to procedures prescribed by state statute (65 ILCS 5/11-76-4.1), a finding is hereby made by the City Council that the following described real estate at Lake Paradise is no longer necessary or required for the use of the municipality.

A part of Outlot 2 of Lake Paradise Subdivision, said subdivision recorded as Document #0683152, dated August 19, 2005 at the Coles County Recorder's Office, Coles County, Illinois. Said part more particularly described as follows:

Beginning at an iron pin with #3 140 cap marking the southwest corner of said Outlot2; thence northerly 43.04 feet along the west line of said Outlot 2 being a curve to the right having a radius of 335.00 feet, chord azimuth 339 degrees 04 minutes 32 seconds (azimuths based on record subdivision plat), chord distance 43.00 feet to an iron pin with #3 140 cap; thence azimuth 79 degrees 37 minutes 32 seconds, 29.85 feet to an iron pin with #3 140 cap; thence azimuth 159 degrees 59 minutes 42 seconds, 38.00 feet to an iron pin with #3140 cap in the south line of said Outlot2; thence azimuth 249 degrees 59 minutes 42 seconds, 28.74 feet along the south line of said Outlot 2 to the Point of Beginning, containing 1198 square feet, more or less, all situated in Paradise Township,

Coles County, Illinois.

Section 2. The real estate described in this special ordinance is in Paradise Township, unincorporated territory of Coles County, where no zoning has been established. Prior to sale each lot's fair market value will be determined by a written appraisal prepared by a licensed real estate appraiser that will be available for public inspection.

Section 3. The management staff of the municipality is hereby authorized to negotiate for a contract proposal to sell said real. Any such contract negotiated shall be subject to ratification by the City Council.

Section 4. The city clerk is directed to publish a copy of this resolution at the first opportunity following its adoption and approval by the City Council.

Upon motion by Commissioner Schilling, seconded by Commissioner Ervin, adopted this 5th day of July, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of July, 2006.

/s/ Charles E. White
Charles E. White,

Mayor

City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 6, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to adopt Special Ordinance No. 2006-1128, authorizing the sale of part of outlot 2 in Lake Paradise Subdivision to William Standerfer, the current owner of Lot 1 of Lake Paradise Subdivision; and authorizing the Mayor to sign all documents necessary to complete the transaction.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1128

AN ORDINANCE AUTHORIZING THE SALE OF PART OF OUTLOT 2 IN LAKE PARADISE SUBDIVISION TO WILLIAM STANDERFER, THE CURRENT OWNER OF LOT 1 OF LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION.

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Special Ordinance 2006-1127, adopted July 5, 2006, the City Council made a finding that the 1,198 square-foot lot known as "Part of Outlot 2 of Lake Paradise Subdivision" is owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said special ordinance authorized the management staff to solicit offers for the sale of this real estate provided that any such

sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, William Standerfer has made an offer to provide in-kind services consisting of piping and grade work to improve the storm drainage in the area, valued at \$4,488; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$850 was the fair market value of the real estate as of June 8, 2006, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided and appraised.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 2 of this ordinance to William Standerfer, subject to the satisfactory completion of the drainage work as determined by the public works director.

Section 2. The real estate to be conveyed pursuant to this ordinance is legally described as:

A part of Outlot 2 of Lake Paradise Subdivision, said subdivision recorded as Document #0683152, dated August 19, 2005 at the Coles County Recorder's Office, Coles County, Illinois. Said part more particularly described as follows:

Beginning at an iron pin with #3 140 cap marking the southwest corner of said Outlot2; thence northerly 43.04 feet along the west line of said Outlot 2 being a curve to the right having a radius of 335.00 feet, chord azimuth 339 degrees 04 minutes 32 seconds (azimuths based on record subdivision plat), chord distance 43.00 feet to an iron pin with #3 140 cap; thence azimuth 79 degrees 37 minutes 32 seconds, 29.85 feet to an iron pin with #3 140 cap; thence azimuth 159 degrees 59 minutes 42 seconds, 38.00 feet to an iron pin with #3140 cap in the south line of said Outlot 2; thence azimuth 249 degrees 59 minutes 42 seconds, 28.74 feet along the south line of said Outlot 2 to the Point of Beginning, containing 1198 square feet, more or less, all situated in Paradise Township, Coles County, Illinois.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner McKenzie, adopted this 5th day of July, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of July, 2006.

/s/ Charles E. White
Charles E. White,
Mayor City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien /s/ J. Preston Owen
Susan J. O'Brien, City Clerk J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 6, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Cline moved to adopt Special Ordinance No. 2006-1129, authorizing the sale of Lot 6 in Lake Paradise Subdivision to Susan Harding, current owner of a home on leased premises at Lot 6, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (*Commonly Known as 3515 East Lake Paradise Road*)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1129

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOT 6 IN LAKE PARADISE SUBDIVISION TO SUSAN HARDING, CURRENT OWNER OF A HOME ON LEASED PREMISES AT LOT 6, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION. (*COMMONLY KNOWN AS 3515 EAST LAKE PARADISE ROAD*)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, Susan Harding has made an offer to purchase the property for \$18,500; and

WHEREAS, Ms. Harding own the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$18,500 was the fair market value of the real estate as of May 25, 2006, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchasers are willing to pay their share of those costs; and

WHEREAS, the City Attorney has prepared a Real Estate Sales Contract that is attached to the Special Ordinance and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 3 of this ordinance to Susan Harding, subject to a payment of \$18,500. The purchase price will be due at closing.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 6 in Lake Paradise Subdivision, Unincorporated Coles County, Illinois.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner Cline, adopted this 5th day of July, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of July, 2006.

/s/ Charles E. White
Charles E. White,

Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 6, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Cline moved to adopt Special Ordinance No. 2006-1130, authorizing the sale of Lot 66 in Lake Paradise Subdivision to Douglas Nevious, current owner of a home on leased premises at Lot 66, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (*Commonly known as 2149 Primrose Lane*)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1130

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOT 66 IN LAKE PARADISE SUBDIVISION TO DOUGLAS NEVIOUS, CURRENT OWNER OF A HOME ON LEASED PREMISES AT LOT 66, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION. (*COMMONLY KNOWN AS 2149 PRIMROSE LANE*)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, Douglas Nevious have made an offer to purchase the property for \$14,000; and

WHEREAS, Douglas Nevious owns the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$14,000 was the fair market value of the real estate as of May 25, 2006, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchasers are willing to pay their share of those costs; and

WHEREAS, the City Attorney has prepared a Real Estate Sales Contract that is attached to the Special Ordinance and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Primrose Lane)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1132

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOT 65 IN LAKE PARADISE SUBDIVISION TO WILLIAM R. BASHAM, CURRENT OWNER OF A HOME ON LEASED PREMISES AT LOT 65, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION. (COMMONLY KNOWN AS 2145 PRIMROSE LANE)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, William R. Basham has made an offer to purchase the property for \$22,000; and

WHEREAS, William R. Basham owns the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$22,000 was the fair market value of the real estate as of June 20, 2006, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchasers are willing to pay their share of those costs; and

WHEREAS, the City Attorney has prepared a Real Estate Sales Contract that is attached to the Special Ordinance and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 3 of this ordinance to William R. Basham, subject to a payment of \$22,000. The purchase price will be due at closing.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 65 in Lake Paradise Subdivision, Unincorporated Coles County, Illinois.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner Ervin, adopted this 5th day of July, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
 Commissioner McKenzie, Commissioner Schilling,
 Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of July, 2006.

/s/ Charles E. White

Charles E. White,

Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 6, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Cline moved to adopt Special Ordinance No. 2006-1133, authorizing the sale of Lot 9 in Lake Paradise Subdivision to Marie Miles, current owner of a home on leased premises at Lot 9, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (*Commonly known as 3445 Pier Lane*)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1133

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOT 9 IN LAKE PARADISE SUBDIVISION TO MARIE MILES, CURRENT OWNER OF A HOME ON LEASED PREMISES AT LOT 9, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION. (*COMMONLY KNOWN AS 3445 PIER LANE*)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, Marie Miles has made an offer to purchase the property for \$20,500; and

WHEREAS, Marie Miles owns the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$20,500 was the fair market value of the real estate as of June 5, 2006, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchasers are willing to pay their share of those costs; and

WHEREAS, the City Attorney has prepared a Real Estate Sales Contract that is attached to the Special Ordinance and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 3 of this ordinance to Marie Miles, subject to a payment of \$20,500. The purchase price will be due at closing.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 9 in Lake Paradise Subdivision, Unincorporated Coles County, Illinois.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner Cline, adopted this 5th day of July, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of July, 2006.

/s/ Charles E. White

Charles E. White,

Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 6, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to adopt Special Ordinance No. 2006-1134, authorizing the sale of Lot 74 in Lake Paradise Subdivision to Marie Miles, current owner of a home on leased premises at Lot 74, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (*Commonly known as 2938 East Lake Paradise Road*)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1134

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOT 74 IN LAKE PARADISE SUBDIVISION TO MARIE MILES, CURRENT OWNER OF A HOME ON LEASED PREMISES AT LOT 74, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION. (*COMMONLY KNOWN AS 2938 EAST LAKE PARADISE ROAD*)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, Marie Miles has made an offer to purchase the property for \$19,000; and

WHEREAS, Marie Miles owns the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$19,000 was the fair market value of the real estate as of June 5, 2006, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchasers are willing to pay their share of those costs; and

WHEREAS, the City Attorney has prepared a Real Estate Sales Contract that is attached to the Special Ordinance and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 3 of this ordinance to Marie Miles, subject to a payment of \$19,000. The purchase price will be due at closing.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 74 in Lake Paradise Subdivision, Unincorporated Coles County, Illinois.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner McKenzie, adopted this 5th day of July, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of July, 2006.

/s/ Charles E. White
Charles E. White,

Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 6, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Ervin moved to adopt Special Ordinance No. 2006-1135, authorizing the sale of Lot 81 in Lake Paradise Subdivision to Marie Miles, current owner of a home on leased premises at Lot 81, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (*Commonly known as 1976 Scenic Lane*)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1135

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOT 81 IN LAKE PARADISE SUBDIVISION TO MARIE MILES, CURRENT OWNER OF A HOME ON LEASED PREMISES AT LOT 81, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION. (COMMONLY KNOWN AS 1976 SCENIC LANE)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, Marie Miles has made an offer to purchase the property for \$20,500; and

WHEREAS, Marie Miles owns the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$20,500 was the fair market value of the real estate as of June 5, 2006, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchasers are willing to pay their share of those costs; and

WHEREAS, the City Attorney has prepared a Real Estate Sales Contract that is attached to the Special Ordinance and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 3 of this ordinance to Marie Miles, subject to a payment of \$20,500. The purchase price will be due at closing.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 81 in Lake Paradise Subdivision, Unincorporated Coles County, Illinois.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner Ervin, adopted this 5th day of July, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of July, 2006.

/s/ Charles E. White
Charles E. White,

Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 6, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Cline moved to adopt Special Ordinance No. 2006-1136, authorizing the sale of Lot 36 in Lake Paradise Subdivision to Scott King, current owner of a home on leased premises at Lot 36, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (*Commonly known as 2455 East County Road 314 North*)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1136

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOT 36 IN LAKE PARADISE SUBDIVISION TO SCOTT KING, CURRENT OWNER OF A HOME ON LEASED PREMISES AT LOT 36, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION. (*COMMONLY KNOWN AS 2455 EAST COUNTY ROAD 314 NORTH*)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, Scott King has made an offer to purchase the property for \$8,500; and

WHEREAS, Scott King owns the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$8,500 was the fair market value of the real estate as of June 13, 2006, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchasers are willing to pay their share of those costs; and

WHEREAS, the City Attorney has prepared a Real Estate Sales Contract that is attached to the Special Ordinance and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 3 of this ordinance to Scott King, subject to a payment of \$8,500. The purchase price will be due at closing.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 36 in Lake Paradise Subdivision, Unincorporated Coles County, Illinois.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner Cline, adopted this 5th day of July, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of July, 2006.

/s/ Charles E. White
Charles E. White,

Mayor

City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 6, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to recess to closed session at 7:29 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1); the collective negotiating matters of the municipality (5 ILCS 120(2)(c)(2)); the purchase or lease of real property (5 ILCS 120(2)(c)(5)); and the price for sale or lease of property (5 ILCS 120(2)(c)(6)).

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened at 8:33 p.m.

Director Wortman discussed the request of Wayne Meinhart with regard to cost sharing for oil and chip in between seventh and eighth street with an approximate cost of \$5,000 to the City, reviewed other past inquiries, and requested the City to create a policy for similar situations. Council, Administrator Gilmore, and Attorney/Treasurer Owen discussed the situation.

Mayor White seconded by Commissioner Schilling moved to adopt Special Ordinance No. 2006-1137, approving a collective bargaining agreement with Police Benevolent and Protective Association Unit #35. Attorney/Treasurer Owen announced the police ratification last Thursday.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1137

AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH POLICE BENEVOLENT AND PROTECTIVE ASSOCIATION UNIT # 35

WHEREAS, the POLICE BENEVOLENT AND PROTECTIVE ASSOCIATION UNIT # 35 (hereafter, the "UNION") has been recognized by past collective bargaining agreements with the City of Mattoon (hereafter, the "CITY") as the exclusive bargaining agent for the sworn officers of the Police Department; and

WHEREAS, the term of the existing collective bargaining agreement with the UNION expired April 30, 2006; and

WHEREAS, representatives of the CITY and the UNION have bargained in good faith in an attempt to reach an agreement setting forth the terms and conditions of employment for said employees; and,

WHEREAS, the UNION has ratified the terms of a new Agreement.

WHEREAS, it is hereby deemed to be in the public interest for the CITY to enter into a collective bargaining agreement with the UNION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Mayor and City Clerk are authorized to sign a "Collective Bargaining Agreement" with the POLICE BENEVOLENT AND PROTECTIVE ASSOCIATION UNIT # 35, a copy of which is attached and incorporated by reference.

Section 2. This ordinance shall be effective upon its passage and approval as provided by law.

Upon motion by Mayor White, seconded by Commissioner Schilling, adopted this 5th day of July, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of July, 2006.

/s/ Charles E. White
Charles E. White,

Mayor

City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 6, 2006.

Mayor White declared the motion carried: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to adopt Special Ordinance No. 2006-1138, authorizing the Mayor and City Clerk to sign a license for use of a City Right-of-Way, located at 220 South 19th Street.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1138

SPECIAL ORDINANCE: AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN A LICENSE FOR USE OF CITY RIGHT-OF-WAY LOCATED AT 220 SOUTH 19th STREET.

WHEREAS, a building located on 220 South 19th Street has encroached five (5) feet into the right-of-way of 19th street since it was constructed; and

WHEREAS, that building has been owned by Donald Walker and is now in his estate; and

WHEREAS, the estate of Donald Walker wishes to sell the building to Steven and P.A. Faller; and

